

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

LAURO SANCHEZ and JUAN EUSEBIO SANTIAGO,
on behalf of themselves and all others similarly
situated,

Plaintiffs,

-v-

COSAN CONSTRUCTION CORP., AMCG INC.,
TERRENCE JAMES FERGUSON, and AARON KING,

Defendants.

CIVIL ACTION NO.: 21 Civ. 6744 (PGG) (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge.

Pursuant to the telephone status conference held today, June 1, 2022, the Court orders
as follows:

1. By **June 10, 2022**, Plaintiffs shall file a motion for leave to amend the complaint (the “Motion”), annexing their proposed amended complaint. In the Motion, Plaintiffs shall indicate whether Defendants consent to the proposed amendment. In the event Defendants do not consent, Defendants shall file their opposition to the Motion by **June 30, 2022**, and Plaintiffs shall file a reply by **July 8, 2022**.
2. Plaintiffs’ request for an order compelling Defendants to hand-deliver the opt-in notice (the “Notice”) to “all current employees, regardless of whether they signed arbitration agreements, . . . in English and Spanish with their next paychecks” (ECF No. 45 at 2) is DENIED.
3. By **June 17, 2022**, Defendants shall provide Plaintiffs with contact information for (i) the approximately 80 employees mistakenly omitted from the list previously provided to Plaintiffs (see ECF No. 45 at 1–2), and (ii) all current employees for whom the Notice

was returned to Plaintiffs' counsel as undeliverable (the employees in (i) and (ii), the "New Recipients").

4. By **June 30, 2022**, Plaintiffs' counsel shall send the Notice to the New Recipients.
5. The opt-in period for the New Recipients is extended to **August 29, 2022**.
6. The briefing schedule for Plaintiffs' anticipated motion for class certification under Fed. R. Civ. P. 23 (the "Class Motion") is extended as follows:
 - a. By **September 30, 2022**, Plaintiffs shall file the Class Motion in accordance with the Individual Practices of the Honorable Paul G. Gardephe;
 - b. By **October 31, 2022**, Defendants shall file their opposition to the Class Motion;
 - c. By **November 14, 2022**, Plaintiff shall file their reply, if any
7. The parties' request for an extension of the discovery schedule (ECF No. 45 at 1) is GRANTED. All discovery shall be completed by **October 21, 2022**.
8. A telephone conference is scheduled for **Tuesday, September 20, 2022 at 10:00 am** on the Court's conference line. The parties are directed to call: (866) 390-1828; access code: 380-9799, at the scheduled time.

Dated: New York, New York
 June 1, 2022

SO ORDERED.



SARAH L. CAVE
United States Magistrate Judge